



Monterey County Zoning Administrator

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Agenda Item No. 3

Legistar File Number: ZA 17-026

May 11, 2017

Introduced: 5/8/2017

Version: 1

Current Status: Agenda Ready

Matter Type: ZA

PLN160742 - SWC PARTNERS LLC

Public hearing to consider action amending a previously approved permit to allow an after-the-fact expansion of a basement.

Project Location: 3296 17 Mile Drive, Pebble Beach, Del Monte Forest Land Use Plan.

CEQA Action: Consider an addendum together with the previously adopted Mitigated Negative Declaration

RECOMMENDATION:

It is recommended that the Zoning Administrator adopt a resolution to:

- a. Consider an addendum together with the previously adopted Mitigated Negative Declaration; and
- b. Amend Combined Development Permit (PLN070024/PLN120103) to:
 - 1) Delete demolition of the existing single family dwelling;
 - 2) Incorporate a previously approved Design Approval (PLN150291) which allowed a remodel to the existing single family dwelling including a 144 square foot addition to the existing basement level; and
 - 3) Allow an after-the-fact 566-square foot expansion of the basement over and above what was previously approved within 750 feet of a known archaeological resource.

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**).

Staff recommends approval subject to 3 conditions of approval.

PROJECT INFORMATION:

Agent: Aengus Jeffers

Property Owner: SWC Partners, LLC

APN: 008-455-015-000

Parcel Size: 2.74 acres

Zoning: "LDR/1.5-D (CZ)" Low Density Residential/1.5 units per acre-Design Control in the Coastal Zone

Plan Area: Del Monte Forest Land Use Plan

Flagged and Staked: No

SUMMARY/DISCUSSION:

The SWC Partners LLC application is an amendment to a previously approved Combined Development Permit (PLN070024) granted in November, 2006 allowing the demolition of an existing single family dwelling within 750 feet of a known archaeological resource (Zoning Administrator Resolution No. 070024). In June, 2012, PLN070024 was extended by PLN120103 (Director of Planning Resolution No. 12-022). Ultimately, the applicant decided not to demolish the single-family dwelling, and in June, 2015, a Design Approval (PLN150291) was approved to allow an interior remodel, dormer window additions, new roof, new siding,

new windows and doors, rebuilding the ocean-side patio and stairs, and the conversion of a 144-square foot crawl space into additional basement. The Design Approval did not require an archaeological monitor on site during the conversion of the crawl space into basement because it was previously disturbed.

During the remodel, the existing crawl space was expanded into an additional 566 square feet of basement without an amendment to the Combined Development Permit and without an archaeological monitor on site. The expansion of the basement, over what was allowed under the Design Approval (PLN150291), was discovered when the Applicant applied for a building permit to allow the additional square footage. Work has stopped on all inspections until the Amendment is approved. If the amendment is denied, the applicant would be required to restore that 566 square foot area.

A Mitigated Negative Declaration was prepared for the original project and included five mitigation measures to mitigate impacts to cultural resources and land use. Mitigation Measure #3 required the owner to contract with a qualified archaeologist for monitoring during any earth disturbing activities. Mitigation Measure #4 required that an archaeologist prepare a report analyzing any resources found during those disturbances.

In order to comply with Mitigation Measure #3 after the fact, the Applicant obtained a contract for archaeological monitoring with Archaeological Consulting. Archaeological Consulting assessed the work already done on the site. Inspection of the excavated area showed that the original construction nearly 100 years ago caused significant disturbance. Some intact midden was still visible below the level of earlier disturbance. No human remains were uncovered nor was there any evidence that there were human remains on site. The archaeologist collected samples and recommended archaeological dating of the resources, with at least 10 radiocarbon dates. The archaeologist prepared a report with the dating results. The Archaeological Dating Report, dated December 16, 2016, was reviewed and approved for compliance with Mitigation Measure #4.

Issuance of this Amendment will bring the subject property into compliance with all rules and regulations pertaining to the property.

OTHER AGENCY INVOLVEMENT:

As this is an after-the-fact amendment to bring into compliance work already completed, the appropriate agencies were notified via email regarding this amendment. No comments or concerns were received.

The original project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review. On June 7, 2007, the Del Monte Forest LUAC recommended approval of the project without stating any comments or concerns by a vote of 4-0. The revised project was not referred to the LUAC.

Prepared by: Elizabeth Gonzales, Associate Planner, Ext. 5102
Reviewed by: Brandon Swanson, RMA Planning Services Manager
Approved by: Carl P. Holm, AICP, RMA Director

The following attachments are on file with the RMA:

Exhibit A	Project Data Sheet
Exhibit B	Draft Resolution including:
Exhibit B1	Recommended Conditions of Approval
Exhibit B2	Site Plan, Floor Plan, and Elevations
Exhibit C	Addendum
Exhibit D	Mitigated Negative Declaration for PLN070024
Exhibit E	Vicinity Map

cc: Front Counter Copy; Zoning Administrator; Pebble Beach Community Services District; RMA-Public Works Department; RMA-Environmental Services; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; Jacqueline R. Onciano, Chief of RMA-Planning; Brandon Swanson, RMA Services Manager; Elizabeth Gonzales, Project Planner; SWC Partners LLC, Owner; Cynthia Spellacy, Stocker & Allaire, Applicant; Aengus Jeffers, Agent; The Open Monterey Project; LandWatch; Planning File PLN160742.